

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DAWUD AMEEN HUSAIN,

Plaintiff,

v.

VERNON BETTS, et al.,

Defendants,

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No. 4:17-CV-1841 JCH

MEMORANDUM AND ORDER

Plaintiff has filed a civil suit and seeks leave to proceed in forma pauperis. Plaintiff is granted leave to proceed without payment of the filing fee. Also, the Court will direct plaintiff to show cause why this action should not be dismissed for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff alleges that he owns the property located at 3738 Maffitt Avenue, St. Louis, Missouri. He says that Vernon Betts, the Sheriff of the City of St. Louis, as well as Joseph Neil, Attorney to the Sheriff, and Laina Favazza and Ken Jennings, Deputy Sheriffs, engaged in the sale of his property as a result of delinquent property taxes plaintiff owed to the St. Louis Collector of Revenue, Gregory F.X. Daly.

Federal courts are courts of limited jurisdiction. The Court has jurisdiction to hear cases involving the Constitution, laws, or treaties of the United States under 28 U.S.C. § 1331, and the Court can hear cases where diversity jurisdiction exists under 28 U.S.C. § 1332. Plaintiff claims that his case relates to “trespassing” and in his Financial Affidavit, plaintiff states that his house is worth approximately \$12,000.

The instant action does not arise under the Constitution, laws, or treaties of the United States, so federal question jurisdiction pursuant to 28 U.S.C. § 1331 is inapplicable. Therefore, the Court may only hear this case if diversity jurisdiction exists.

It does not appear that diversity jurisdiction exists because plaintiffs and defendants reside in the same state and the amount in controversy does not exceed \$75,000. As a result, the Court will order plaintiff to show cause why this action should not be dismissed for lack of jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis [Doc. # 2] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff must show cause no later than **August 28, 2017**, why this action should not be dismissed.

Dated this 31st day of July, 2017.

\s\ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE